

PATENT COOPERATION TREATY

REC'D PCT/PTO 04 OCT 2004

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PCT

From the
INTERNATIONAL PRELIMINARY EXAMINING AUTHORITY

To:

Micronic Laser Systems AB
IPR&Legal Department
Nytorpsvägen 9
183 03 TÄBY
et al

WRITTEN OPINION OF THE
INTERNATIONAL PRELIMINARY
EXAMINING AUTHORITY

(PCT Rule 66)

Date of mailing
(day/month/year)

6 -02- 2004

Applicant's or agent's file reference

P00135

REPLY DUE

within 60 days from
the above date of mailing

International application No.

PCT/SE 2003/000519

International filing date (day/month/year)

01.04.2003

Priority date (day/month/year)

04.04.2002

International Patent Classification (IPC) or both national classification and IPC

G01F 1/08

Applicant

Micronic Laser Systems AB et al

1. ☐ The written opinion established by the International Searching Authority:

☐ is

☐ is not

considered to be a written opinion of the International Preliminary Examining Authority.

2. This First (first, etc.) opinion contains indications relating to the following items:



Box No. I

Basis of the opinion



Box No. II

Priority



Box No. III

Non-establishment of opinion with regard to novelty, inventive step and industrial applicability



Box No. IV

Lack of unity of invention



Box No. V

Reasoned statement under Rule 66.2(a)(ii) with regard to novelty, inventive step or industrial applicability; citations and explanations supporting such statement



Box No. VI

Certain documents cited



Box No. VII

Certain defects in the international application



Box No. VIII

Certain observations on the international application

3. The applicant is hereby invited to reply to this opinion.

When? See the time limit indicated above. The applicant may, before the expiration of that time limit, request this Authority to grant an extension, see Rule 66.2(e).

How? By submitting a written reply, accompanied, where appropriate, by amendments, according to Rule 66.3. For the form and the language of the amendments, see Rules 66.8 and 66.9.

Also For the examiner's obligation to consider amendments and/or arguments, see Rule 66.4bis. For an informal communication with the examiner, see Rule 66.6. For an additional opportunity to submit amendments, see Rule 66.4.

If no reply is filed, the international preliminary examination report will be established on the basis of this opinion.

4. The final date by which the international preliminary report on patentability (Chapter II of the PCT) must be established according to Rule 69.2 is:

04.08.2004

Name and mailing address of the IPEA/SE

Patent- och registreringsverket

Box 5055

S-102 42 STOCKHOLM

Facsimile No. 46 8 667 72 88

Form PCT/IPEA/408 (cover sheet) (January 2004)

Authorized officer

Fredrik Wahlin/MN

Telephone No. 46 8 782 25 00

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WRITING OPINION OF THE
INTERNATIONAL PRELIMINARY EXAMINING AUTHORITY

International application No.

PCT/SE 2003/000519

Box No. I Basis of the opinion

1. With regard to the language, this opinion has been established on the basis of the international application in the language in which it was filed, unless otherwise indicated under this item.

☐ This opinion is based on a translation from the original language into the following language _____, which is the language of a translation furnished for the purposes of:

- ☐ international search (under Rules 12.3 and 23.1(b))
☐ publication of the international application (under Rule 12.4)
☐ international preliminary examination (under Rules 55.2 and/or 55.3)

2. With regard to the elements of the international application, this opinion has been established on the basis of (*replacement sheets which have been furnished to the receiving Office in response to an invitation under Article 14 are referred to in this opinion as "originally filed."*):

☒ the international application as originally filed/furnished

☐ the description:

pages _____ as originally filed/furnished

pages _____ received by this Authority on _____

pages _____ received by this Authority on _____

☐ the claims:

pages _____ as originally filed/furnished

pages _____ as amended (together with any statement) under Article 19

pages _____ received by this Authority on _____

pages _____ received by this Authority on _____

☐ the drawings:

pages _____ as originally filed/furnished

pages _____ received by this Authority on _____

pages _____ received by this Authority on _____

☐ a sequence listing and/or any related table(s) – see Supplemental Box Relating to Sequence Listing.

3. ☐ The amendments have resulted in the cancellation of:

☐ the description, pages _____

☐ the claims, Nos. _____

☐ the drawings, sheets/figs _____

☐ the sequence listing (*specify*): _____

☐ any table(s) related to the sequence listing (*specify*): _____

4. ☐ This opinion has been established as if (some of) the amendments had not been made, since they have been considered to go beyond the disclosure as filed, as indicated in the Supplemental Box (Rule 70.2(c)).

☐ the description, pages _____

☐ the claims, Nos. _____

☐ the drawings, sheets/figs _____

☐ the sequence listing (*specify*): _____

☐ any table(s) related to the sequence listing (*specify*): _____

WRITING OPINION OF THE
INTERNATIONAL PRELIMINARY EXAMINING AUTHORITY

International application No.

PCT/SE 2003/000519

Box No. V Reasoned statement under Rule 66.2(a)(ii) with regard to novelty, inventive step or industrial applicability; citations and explanations supporting such statement

1. Statement

Novelty (N)	Claims	<u>1-11, 18-29, 35-44 and 48-58</u>
	Claims	
Inventive step (IS)	Claims	<u>1-61</u>
	Claims	
Industrial applicability (IA)	Claims	
	Claims	

2. Citations and explanations:

Documents cited in the international search report.

D1:WO0020928 A1

D2:JP61232457 A

D3:Wo0223272 A1

D1 (page 4 line 15-page 7 line 11, page 10 line 11-27, page 12 line 10-23 page 16 line 5-page 17 line 10) and D2 (abstract) and D3 (page 11 line 10-page 13 line 26) each by them selves shows a mask blank and a method for manufacturing a mask blank. The mask blank comprises a substrate, a ~~masking~~ layer on said substrate and a layer on ~~said substrate~~ for reducing the reflections. The claim 1-4 and 35-38 is therefore not novel.

D1 and D3 show each by them selves that a layer of silicon dioxide is facing the film sensitive to the writing wavelength. It is also shown in D1 and D3 that film sensitive to the writing wavelength is less than 200 nm thick. Claim 5-9, 18-27, 39-43 and 48-57 is therefore not novel.

D2 shows that one layer comprises oxynitride. Claim 10, 28, 44 and 58 is therefore not novel.

D3 (page 9 line 12-18) shows that the mask blank after writing is etched in a gas mixture comprising chlorine. Claim 11 and 29 is therefore not novel.

The invention claimed in claim 12-17, 30-34, 45-47 and 59-61 is considered obvious to a man skilled in the art and also fails to involve an inventive step.